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April 23, 2008

Via ECF Filing

Honorable Miriam G. Cedarbaum  
United States District Court for the  
Southern District of New York  
500 Pearl Street  
New York, New York 10007

Re: Grynsztajn, L. v. The City of New York and HWA, Inc., et al.  
Civil Case No. 07 CV 6285

Dear Judge Cedarbaum:

Please be advised that our office represents defendants HWA, Inc. and Security Officer Wilson Vega in the above referenced matter. I am writing to you to in connection with the April 16, 2008 correspondence from David A. Zelman, Esq. requesting a pre-motion conference to file a motion strike defendants answers.

The delay in scheduling the deposition of our client has been unintentional. Mr. Vega left the employ of HWA, Inc. shortly following the commencement of the above referenced suit. In efforts to schedule his deposition, this firm made multiple attempts to contact Mr. Vega at his last known address. On each occasion, we were unable to reach Mr. Vega using his last known address and telephone number.

To further assist in contacting Mr. Vega, our firm retained the services of an services company which made multiple attempts to locate him and secure his attendance at a deposition. After several unsuccessful attempts to contact Mr. Vega via telephone, a representative from Millard Associates, Ltd. traveled to his last known address to determine his whereabouts. Mr. Vega was eventually located through the efforts of his sister. Mr. Vega has advised us that he was unaware of the efforts made to locate him. He has also advised us that he is ready willing and able to appear for a deposition.

As noted above, the delay in producing Mr. Vega was unintentional as this office simply was unable to locate Mr. Vega. Having located his through the use of a private investigation company, he is ready willing and able to appear for a deposition. Accordingly, this office will

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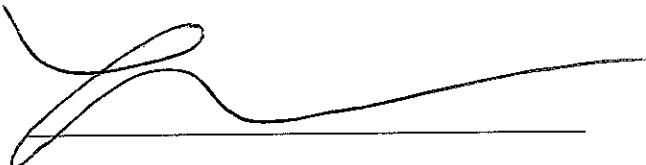
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contact plaintiff's counsel to schedule a mutually agreeable date for his deposition. As the delay was unintentional, it should not merit the striking of defendants answer. Your undersigned regrets any delay caused in the scheduling of Mr. Vega's deposition but would like to state that the delay was simply due to our office's inability to locate our client.

Today, defendants also served a response to plaintiff's documents demands. The delay in producing the requested discovery was also unintentional and with regard to some of the items requested we have been advised that our clients are still attempting to determine if some of the requested items exist.

Based upon the above, it is respectfully argued that the issues raised by Mr. Zelman in his April 16, 2008 correspondence are now moot and that the request for a pre-motion conference (with regard to defendants Vega and HWA, Inc.) should be withdrawn by plaintiff's counsel.

Respectfully yours,



Leonard Silverman (7579)

LS: 104-7705